



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

July 17, 2013

CERTIFIED MAIL 7010 3090 0001 4226 0195
RETURN RECEIPT REQUESTED

James Woodard
Waste Management of Raleigh-Durham Transfer Station
10411 Globe Road
Morrisville, NC 27560

SUBJECT: **Notice of Deficiency**
 Compliance Inspection Report
 Waste Management Raleigh-Durham Transfer Station
 9215T-TRANSFER-1994
 Wake County

Dear Mr. Woodard:

On July 10, 2013, Shawn McKee and Dennis Shackelford, representing the State of North Carolina, Division of Waste Management Solid Waste Section ("Section"), inspected the above referenced facility for compliance with North Carolina Solid Waste Statues and Rules. Tim Chappell, Waste Management of the Carolinas, Inc., and Sam Mufaro, Custom Ecology Inc (CEI) were present representing Waste Management Raleigh-Durham Transfer Station. During this inspection, the following items were noted and/or observed:

15A NCAC 13B .0203 (d) "By receiving solid waste at a permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit"

Conditions of Permit to Operate - Permit Condition #11a. "The tipping floor and transfer trailer loading area must be maintained in a clean, sanitary condition at all times in accordance with the approved Operation Plan."

Buildup of debris was observed on the tipping floor and in the loading bay. The tipping floor and transfer trailer loading area all need to be cleaned. I would recommend pressure washing the facility on a weekly basis or as needed, depending on the waste streams and other factors that would affect the cleanliness of the facility.

15A NCAC 13B .0402(6) "Equipment shall be provided in the storage and charging areas and elsewhere as needed or as may be required in order to maintain the facility in a sanitary condition;"



Equipment must be provided to maintain the facility in a sanitary condition.

Conditions of Permit to Operate - Permit Condition #5 *"A responsible individual trained in facility operations must be on-site during all times during operating hours of the facility, in accordance with NCGS 130A-309.25. An attendant must be present to oversee the loading and unloading of waste."*

Additionally, the approved Operations Plan for the facility states that *"The manager ensures that a certified operator is present at the Facility during operating hours. The District Manager, one of the shift operators, and third party contractors are certified operators that have the North Carolina Solid Waste Management Association of North America (NCSWANA) certification of Transfer Station Operations Specialist."*

Waste was received at the facility prior to the arrival of a Certified Transfer Station Operator.

The above deficiencies may have or can compromise the facility's ability to ensure protection of the public health and the environment and thus require remedial action on behalf of the facility in order to achieve compliance with 15A NCAC 13B .0402(6), Conditions of Permit to Operate - Permit Condition #5, and Permit Condition #11a. By July 31, 2013, the facility must complete the following corrective actions:

- Waste Management must ensure that the walls, the trench drains, and the floor of the receiving bay are cleaned; and
- Additional facility staff should be scheduled to complete the Certified Transfer Station Operator training. A certified staff member must be present at all times during facility operations.

Failure to comply with this schedule may subject the facility and/or all responsible parties to enforcement actions including a notice of violation, civil penalty, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules. Pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

If you have any questions, please contact me at 919-707-8284 or shawn.mckee@ncdenr.gov.

Sincerely,

Shawn McKee
Environmental Senior Specialist
Solid Waste Section

copies:

Dennis Shackelford, Eastern District Supervisor – Solid Waste Section
Ellen Lorscheider, Programs and Planning Branch Head – Solid Waste Section
Jessica Montie, Compliance Officer – Solid Waste Section